

**Comments on the proposed conservation of the name *Crotophytus vestigium* Smith & Tanner, 1972 (Reptilia, Squamata)**

(Case 3136; see BZN 57: 158–161)

(1) Jay M. Savage

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California 92182–4614, U.S.A.*

I write to oppose the conservation of the name *Crotophytus vestigium* Smith & Tanner, 1972, a junior subjective synonym of *C. fasciolatus* Mocquard, 1903. The names involved do not apply to a species important in medicine, physiology or other biological disciplines. The species is not rare, endangered or threatened, so the name *C. vestigium* is not entrenched in law.

Under these circumstances to conserve *C. vestigium* rewards failure by its describers to check a major publication on herpetology of Baja California (Mocquard, 1899) and the synonymy and comments of Schmidt (1922) and Burt (1928). The best solution to this case is to retain the name *fasciolatus* as valid while recognizing *vestigium* as potentially valid should the two taxa be regarded as distinct.

I therefore ask the Commission on Zoological Nomenclature:

- (1) to vote against the proposals in this case;
- (2) to place on the Official List of Specific Names in Zoology the name *fasciolatus* Mocquard, 1903, as published in the binomen *Crotophytus fasciolatus*;
- (3) to place on the Official Index of Rejected and Invalid Specific Names in Zoology the name *fasciatus* Mocquard, 1899 (a junior primary homonym of *Crotophytus fasciatus* Hallowell, 1853).

(2) J.A. McGuire

*Division of Natural Sciences, 119 Foster Hall, Louisiana State University,  
Baton Rouge, Louisiana 70803, U.S.A.*

I write in reply to Jay Savage, who (above) has opposed my application for the conservation of the name *Crotaphytus vestigium* Smith & Tanner, 1972, a junior subjective synonym of *C. fasciolatus* Mocquard, 1903.

The name *Crotaphytus vestigium* was used in the second edition of the Peterson *Field guide to western reptiles and amphibians* (Stebbins, 1985) and in my own monographic revision of the CROTOPHYTIDAE (McGuire, 1996), as well as in at least 17 additional publications. The names *C. fasciatus* Mocquard, 1899 and (the replacement) *C. fasciolatus*, on the other hand, have been considered as junior synonyms of *Gambelia wizlizenii* (Baird & Girard, 1852) by virtually all authors for nearly 100 years, and they have never been used for their intended species subsequent to their original publications.

Article 81 of the Code states that the Commission may use its plenary power to suppress a name if failure to do so would in its judgement 'disturb stability or universality or cause confusion'. Although it is true that *C. vestigium* has no current medicinal importance and is not a model system in physiological studies (as noted by Savage), it is no less true that the name has been in use for nearly 30 years by the

scientific community and has been before thousands of amateur and professional naturalists since the publication of the field guide (mentioned above) in 1985. Adoption of the name *fasciolatus* would reduce taxonomic stability because the name is completely unfamiliar to the herpetological community, and because the name *vestigium* will continue to be associated with its use in the (1985) Peterson field guide and in the (1966) primary monographic work on the CROTOPHYTIDAE.

The intention of the Code is to maximize stability and promote the utility of our taxonomies (and not to reward or punish our colleagues, as suggested by Savage), and conservation of the name *vestigium* is appropriate. Therefore I request that the Commission suppress the name *fasciolatus* in favor of *vestigium*, as sought in my application.

(3) Richard Etheridge

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California 92182-4616, U.S.A.*

I wish to support the conservation of the name *Crotaphytus vestigium* Smith & Tanner, 1972, a junior subjective synonym of *C. fasciolatus* Mocquard, 1903, as proposed by J.A. McGuire. The species is well known to naturalists in southern California and throughout most of the Mexican peninsula of Baja California. The name has been used in numerous publications, including R.C. Stebbins' (1985) *Field guide to western reptiles and amphibians*, which has been in the hands of students, teachers and amateur naturalists for the past 15 years. It has also been used in the 1995 reprint of H.M. Smith's (1946) *Handbook of lizards*.

It is the function of the Code to maximize nomenclatural stability and to minimize the effort required for information retrieval, and the conservation of the name *Crotaphytus vestigium* is therefore appropriate. I request that the Commission use its plenary power to approve Dr McGuire's proposal.

#### **Comments on the proposed designation of neotypes for the nominal species**

*Vespertilio pipistrellus* Schreber, 1774 and *V. pygmaeus* Leach, 1825 (currently *Pipistrellus pipistrellus* and *P. pygmaeus*; Mammalia, Chiroptera)

(Case 3073; see BZN 56: 182–186; 57: 49–50, 113–116)

Gareth Jones

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Otto von Halversen and his co-workers are pressing for the adoption of the name *Pipistrellus mediterraneus* Cabrera, 1904, described from Valencia, Spain, for the 55 kHz phonic type of pipistrelle bat (BZN 57: 113–115), even though *P. pygmaeus* (Leach, 1825) is now being widely used.

I should like to bring to the attention of workers the following issues.

1. There is still no definite morphological criterion available that will unambiguously separate the two cryptic species. The phalanx ratio cited as being 'distinctive' by Halversen et al. (BZN 57: 114, para. 3(b)) actually shows overlap between the two species (G. Jones, unpublished).